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| 10/531,775 | 04/19/2005 | Ingo Hutter | PD020097 | 6044 |

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Joseph J. Laks
Thomson Licensing LLC
2 Independence Way, Patent Operations
PO Box 5312
PRINCETON, NJ 08543

| EXAMINER | |
|---|---|
| ALI, FARHAD | |

| ART UNIT | PAPER NUMBER |
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| 2146 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/531,775 | HUTTER, INGO | |
| | Examiner | Art Unit | |
| | FARHAD ALI | 2146 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *28 May 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Cheng (US 2003/0005130 A1).

Cheng teaches:

**Claim 1**

A method for monitoring audio/video connections hereinafter called AV connections which have been set up in a network of distributed stations which are networked with one another via at least one of a wire-free and a wire bus connections (Paragraph [0014], "The resource manager and the path manager are configured to manage device and network resources that are distributed in heterogeneous networks, such as resources distributed in networks using mixed Ethernet, 1394, 802.11, HyperLAN2, USB, HPNA"), wherein

at least two types of stations exist in the network; one type of station being at least one control device for initiating, controlling and removing an AV connection from said AV connections (Paragraph [0023], "UPnP controllers 161 are hereinafter referred to as user control

points (UCPs)"), and the other type of station being a controlled device being at least one of a AV server device and an AV renderer device (Paragraph [0024], "controlled, or slave, devices"), wherein

between at least two controlled devices said AV connection can be set up by said at least on control device, and a first device from said at least two controlled devices monitors said AV connection to determine whether a second device from said at least two controlled devices which is AV connected to said first controlled device has sent a logging-off message whereby when said logging-off message is detected, said first controlled device autonomously ends, without an operation from said at least one control device, the AV connection with said second control device which is logged off. (Paragraph [0027], "This invention provides the necessary features and functions to the enabling logic 120 to facilitate efficient and effective transfer of audio-video information, or other time-sensitive information among devices on heterogeneous networks", and Paragraph [0037], "In a preferred embodiment, an application is provided the option of managing resource reservation, path setting, and scheduling activities directly, or it can request the action manager 310 to manage these activities. By providing an action manager 310, the application can be free from the concerns of detailed resource management and path management. Preferably, network resources are allocated and the path is set up immediately prior to the time that an action is to take place, to maximize the use of network resources, although device resources can be reserved well before the effective time by the action manager 310, or the application", and Paragraph [0056], "When the resource manager 320 receives a departure notification, it can either delete the entry, or mark the entry to indicate the departure of the resource", and in Figure 3, #120 includes the device manager module, action manager

module, resource manager module, and path manager module, where #120 can be implemented Per device).

**Claim 2**

The method as claimed in claim 1, wherein a station which is AV connected to another station sends a signaling request to the stations in the network in the situation where the AV connection has remained unused for a first specific time, and in that, in the situation where the signaling request remains unanswered by the station which is AV connected to the requesting station, the requesting station autonomously internally ends the setting up of the AV connection (Paragraph [0048]-[0050], "A requester sends a request, which may be either a "RESERVE" message or a "RELEASE" message, to any known resource manager. Each resource manager executes a continuous loop, waiting to receive the message, at 410. If, at 415, the message is a RESERVE request, the manager attempts to reserve all the resources along the path and under its responsibility, via the loop 420-435. At 425, the receiving resource manager first tries to find a resource yet to be reserved. If found and the resource is under the responsibility of the receiving resource manager, it tries to reserve the resource. If the reservation is successful, at 430, it modifies the reservation request to indicate that this resource has been reserved, and proceeds to find the next yet-to-be-reserved resource. The process 420-435 is repeated until the resource manager has either successfully reserved all the resources in the path and under its responsibility or it has failed to reserve one such resource. In the case of a failed reservation, at 430, the resource manager sends a FAILED message to the requester, at 480. The resource manager then releases all the resources that it has reserved for this task, and sends a RELEASE message to all

prior resource managers, terminates the reservation for this path, at 485, and updates the resource management database 325, at 490. If, via the loop 420-435, the resource manager has successfully reserved all the resources under its responsibility, it will check, at 440, whether there are still more resources to be reserved. If not, the resource manager sends a SUCCESS message to the requester, at 445, updates its corresponding resource management database 325, at 490, and terminates the reservation for this path. If, at 440, there are more yet-to-be-reserved resources in the path, it marks the resources that it just reserved as "reserved", forwards the request to the next resource manager, at 450, and waits for an acknowledgement message from the next resource manager. If, at 455, it does not receive an acknowledgement message before a timeout, it sends a FAILED message to the requester, at 480, releases all the resources it has reserved for the request, sends a RELEASE message to all the prior resource managers, updates its corresponding resource management database 325, at 490, and terminates the reservation for this path. If, at 455, the resource manager receives an acknowledgement message before a time out, the resource manager updates its corresponding resource management database 325, at 490, loops back to 410, and repeats the above process for each subsequent request").

**Claim 3**

With regard to claim 3, it is similarly rejected according to claim 2.

**Claim 4**

With regard to claim 4, it is similarly rejected according to claim 2.

**Claim 5**

The method as claimed in claim 1, wherein at least one of audio and video data transmitted via the AV connection (Paragraph [0027], "This invention provides the necessary features and functions to the enabling logic 120 to facilitate efficient and effective transfer of audio-video information, or other time-sensitive information among devices on heterogeneous networks).

**Claim 6**

The method as claimed in claim 1, wherein the data transmissions in the network carried out in accordance with the rules of the UPnP Standard (Paragraph [0009], "It is an object of this invention to provide a system, method, and architecture to support the transfer of audio-video information via a UPnP network").

**Claim 7**

With regard to claim 7, it is similarly rejected according to claim 1.

**Claim 8**

With regard to claim 8, it is similarly rejected according to claim 2.

**Claim 9**

With regard to claim 9, it is similarly rejected according to claim 2.

**Claim 10**

With regard to claim 10, it is similarly rejected according to claim 2.

**Claim 11**

With regard to claim 11, it is similarly rejected according to claim 6.

***Response to Arguments***

3. Applicant's arguments filed 05/28/2008 have been fully considered but they are not persuasive.

The applicant has argued:

*Cheng does not disclose or suggest these claimed elements. In regards to the terminology of Cheng, the operations of device management are performed by path manager module 330 and path database 335 correspond to the operation of the control device of Claim 1 (see Fig. 3 and paragraph 60 of Cheng). The operation of the controlled devices of Claim 1 would be akin to the device resources of Cheng (see paragraph 29).*

*Cheng indicates that the operations of managing network resource and drive connections are handles by the path manager 330, where the creation and teardown of a connection is performed by the path manager 330 i.e., the control device. The operation of Claim 1 however is different than what is disclosed in Cheng, in that in a very limited case, "a second device from said at least two controlled devices which is AV connected to said first controlled device has sent a logging-off message ..... is detected, said first controlled device autonomously ends, without an operation from said at least one control device, the AV connection with said second controlled*

*device". That is, the AV connection between two controlled devices is terminated by a controlled device versus what is disclosed in paragraph 63 of Cheng where an AV connection can only be torn down by a controller device (not a controlled device as in Claim 1 which would correspond to a device resource in Cheng). Additionally, Cheng does not disclose that a device resource (a first controlled device) monitors for a "logging-off" message from a second device resource (second controlled device). In Cheng, these functions are monitored by the path manager module (see paragraphs 60- 63).*

The examiner respectfully disagrees. The operations of the device management are performed by the path managed module 330 and a path database 335, however, these do not correspond to the operations of the control device. Referring to Figure 3 of Cheng, It is clear that the user control point (#161) is a separate module than control logic #120 which includes the path manager and database (330 and 335). These functions are not incorporated into the control point and are distinctly separate in Cheng. In one embodiment, #120 is implemented for **each controlled device**, thereby providing each individual controlled device a path manager and database.

Referring back to the cited art, Paragraph [0037], "In a preferred embodiment, **an application is provided the option** of managing resource reservation, path setting, and scheduling activities directly, **or it can request the action manager 310 to manage these activities. By providing an action manager 310, the application can be free from the concerns of detailed resource management and path management.** Preferably, network resources are allocated and the path is set up immediately prior to the time that an action is to take place, to maximize the use of network resources, although device resources can be reserved

well before the effective time by the action manager 310, or the application", and Paragraph [0056], "When the resource manager 320 receives a departure notification, it can either delete the entry, or mark the entry to indicate the departure of the resource", and in Figure 3, #120 includes the device manager module, action manager module, resource manager module, and path manager module, where #120 can be implemented Per device.

Cheng uses the term application to refer to the User control point as clearly shown in Fig 3 #161. The control point, in the prior art sense, could control these features, or like the embodiment discussed above, can be outsourced to an action manager 310, which may be implemented per device.

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARHAD ALI whose telephone number is (571)270-1920. The examiner can normally be reached on Monday thru Friday, 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey C. Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. A./
Examiner, Art Unit 2146

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2146